

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

UNITED STATES OF AMERICA)
v.)
RICHARD A. ORR,)
Defendant.)
Case No. 2:00CR10067
FINAL ORDER
By: James P. Jones
Chief United States District Judge

For the reasons set forth in the Opinion accompanying this Final Order, it is

ORDERED as follows:

1. The “Petition for Writ of Audita Querela” submitted in this case is construed as a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C.A. § 2255 (West Supp. 2008);
 2. For administrative purposes only, the Clerk shall docket defendant’s submission as a § 2255 motion; and
 3. The motion is hereby DISMISSED as successive, pursuant to 28 U.S.C.A. § 2255(h).

ENTER: June 30, 2009

/s/ JAMES P. JONES
Chief United States District Judge